

08-03-04

ITW



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|---------------------------|
| 10/737,290 | 12/15/2003 | Toshiaki Maruyama | 54 CIP III (1087-2 CIP II |

Mark Farber, Esq.
 Alexion Pharmaceuticals, Inc.
 352 Knotter Drive
 Cheshire, CT 06410



CONFIRMATION NO. 6650

FORMALITIES LETTER



OC000000012844092

Date Mailed: 06/02/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/04/2004 EFLORES 00000044 010483 10737290

FILED UNDER 37 CFR 1.53(b)

01 FC:2051

65.00 DA

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch). See Figures(s) 10-12, 14, 26, 36D, 38.
 - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 24-26, 30-31.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at

63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

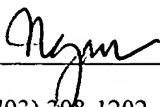
SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Docket No.: 54 CIP II

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bowsish et al.
Serial No.: 10/737,290 Examiner: Unassigned
Filed: December 15, 2003 Group: Unassigned
For: Rationally Designed Antibodies

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION UNDER 37 CFR 1.53(b)

Sir:

In response to the Notice to File Missing Parts mailed June 2, 2004, enclosed herewith is a properly executed Combined Declaration and Power of Attorney executed by the inventors, along with a copy of the Notice to File Missing Parts of Application. Also, enclosed are fifty-nine (59) sheets of formal drawings.

A Notification of Change in Large Entity Status under 37 CFR 1.28(b) is also enclosed. The sequence listing is being submitted under separate cover.

The Commissioner is hereby authorized to charge the \$65.00 surcharge for filing the Declaration, to Deposit Account No. 01-0483. Kindly charge any additional fees associated with this petition or credit any overpayment to Deposit Account No. 01-0483. **TWO DUPLICATE COPIES OF THIS SHEET ARE ENCLOSED.**

Date:

August 2, 2004

Respectfully Submitted,

Mark Farber

Mark Farber
Reg. No. 34,159
Attorney for Applicants

Mark Farber
Alexion Pharmaceuticals, Inc.
352 Knotter Drive
Cheshire, CT 06410



Docket No.: 54 CIP II

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bowdish et al.
Serial No.: 10/737,290 Examiner: Unassigned
Filed: December 15, 2003 Group: Unassigned
For: Rationally Designed Antibodies

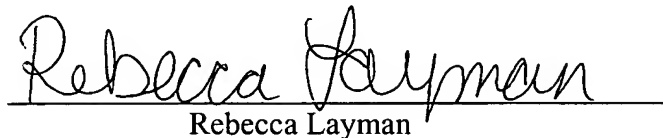
Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

Date of Deposit: August 2, 2004
I hereby certify that the following:
Certificate of Express Mailing Label No.: ER926701420US

- ☒ This Certificate of Mailing
- ☒ Response to Notice to File Missing Parts of NonProvisional Application Under 37 CFR 1.53(c)
- ☒ Notice to File Missing Parts of NonProvisional Application Filed Under 37 CFR 1.53(b)
- ☒ Executed Combined Declaration and Power of Attorney
- ☒ 59 Sheets of Formal Drawings
- ☒ Notification of Change in Large Entity Status
- ☒ Return Receipt Postcard

are being deposited with the United States Postal Service first-class mail on the Date of Deposit indicated above in an envelope addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.



Rebecca Layman

Mark Farber
C/O
Alexion Pharmaceuticals, Inc.
352 Knotter Drive
Cheshire, CT 06410